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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/825,734	04/04/2001	Leonard H. Lopez JR.	1036.1256	3638

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EXAMINER

NGUYEN, CUONG H

ART UNIT	PAPER NUMBER
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3625

DATE MAILED: 06/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/825,734

Applicant(s)

LOPEZ, LEONARD H.

Examiner

CUONG H. NGUYEN

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WJ

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 March 2004.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) 8 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 9-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

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DETAILED ACTION

1. This Office Action is the answer to the communication received on 4/29/2004 (the change of address), which paper has been placed of record in the file.

2. Claims 1-14 are pending in this application; claim 8 is canceled.

Response

- 3. The previous rejection on 35 USC 112.2 are withdrawn for claims 1, 11; because a new ground of rejection is applied for new claims and amended claims, previous arguments are not persuasive in view of Sevcic and Klatt et al.'s reference.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made .

4. As to claims 1-7, 11-14: They are rejected under 35

U.S.C. 103(a) as being unpatentable over Sevcik et al. (US Pat. 6,330,524), in view of Klatt et al., (US Pat. 6,473,760), and in view of Perkowski et al. (US Pat. 5,964,156).

Applicant argues that these information are not disclosed in Sevcik's patent:

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- Sevcik does not disclose a system to customize a company's product/template - the examiner submits that this concept is clearly old and very well-known in printing businesses, i.e., "print as order" that Klatt et al.'s teaching (see **Klatt** et al., Fig. 15, 13:66 to 14:4, 15:25-40).
- Sevcik does not disclose an "order" template of customer - the examiner submits that this concept is clearly old and very well-known in printing businesses, i.e., "print as order" (see **Klatt** et al., the abstract, Fig. 15, 13:66 to 14:4, 15:25-40)- including a placement and typography of informational elements to be printed on a business card or stationery product.
- Sevcik does not disclose limiting a number of selected sources - the examiner submits that this concept is clearly old and very well-known in printing businesses, i.e., from a "client database" 1507 (see **Klatt** et al., Fig.15, ref. 1507).
- Sevcik does not disclose to use "an interface" to directly generate a pre-press product - the examiner submits that this concept is clearly old and very well-

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known in printing businesses, i.e., "preview a print product" (see Klatt et al., Figs. 3, 15).

- On page 9, para.3-7, the applicant argues what in the specification, not in the claim - knowing that the law protects what in claims; this does not distinguish that claimed system.
- On page 10, para.1 the applicant argues that Sevcik does not provide a preview of tailored product; the examiner submits that this concept is clearly old and very well-known in printing businesses, i.e., from a preview before mass production has been a normal application of a printing business (see Klatt et al., Fig.9 ref. 907 - please note that approval is always happened after "preview").
- Please note that Klatt et al. disclose a method and a system for fulfillment of institutional business card and stationery product orders.

Sevcic and Klatt et al. teach all limitations of new claims 11-14 that the applicant argues in page 10, last para. to page 11, para. 5 (see above rationales).

A. As to claim 1: Sevcik teaches a method for fulfillment of institutional business card and stationery product orders, said method comprising the steps of:

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- providing a requestor interface for entry of a distributed user's print order, said requestor interface being adapted to enable the user to select a company tailored product according to a predeterminable profile (see **Sevcik**, 11:35-37);

It is submit that a profile is predeterminable where the profile is able to be predetermined from data that is prearranged, programmed, encoded, fixed, determined, set, present. An interface is software that enables a program to work with a user (user interface, which can be a command-line interface, menu-drive interface, or a graphical user interface), with another program such as the operating system, or with a computer's hardware. Sevcik does not specifically refer to his interfaces as a "requestor interface" or "processor interface" and Sevcik does not group functions according to applicant's uses. Sevcik's profiles are "prearranged, programmed, encoded, fixed, determined, set, present." The data in Sevcik's profiles is collected via various user interfaces. Sevcik creates pre-press products via other interfaces that use information from the profiles. Sevcik passes Pre-press product data to print provider production systems for the purpose of creating, selling and fulfilling orders for printed products. The print provider systems may also produce quotes for those orders prior to fulfilling the orders.

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- processing the user's print order through a processor interface, said processor interface being adapted to directly generate a pre-press product automatically incorporating said predeterminable profile into said tailored product - Sevcik teaches, that once data is entered into a database through an interface, data is instantly available to a person placing an order and data may be accessed from a personalized home page (see Sevcik, Col. 14, lines 50 - Col. 15, line 10).

Sevcik teaches generating a plurality of prototypical product records (see at least references to custom product categories and standard variable options and standard variable products created thereby, in particular see Sevcik, Fig.4, 6:25 to 9:12, and 3:41-65);

- developing a list of fields according to said prototypical product record, each said field comprising an element of said company tailored product's specification (see Sevcik, 1:60-67, 14:16-22, and Fig.1A);

Sevcik teaches about a system/process for automatically incorporating a predeterminable profile into a tailored product and directly generating a pre-press product therefrom (see Sevcik, 15:19-22), "a Print Provider may require additional information about a job in order to begin." ; the Examiner submits that Sevcik merges specific profile data, data entered

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via entry fields on various interfaces according to templates and prototypes to produce pre-press files.

Sevcik teaches about a predefined database management system, said database management system being adapted to collect and store data according to said field list; "The history of that job will always be accessible to the Print Buyer with access to that account" (see Sevcik, 15:52-67).

Sevcik teaches about expanding a database (see Sevcik, 14:50 to 15:10, 6:6,27, 5:57, 10:60 to 11:50, and Fig.13).

B. As to claim 2: Sevcik teaches a method for fulfillment of institutional business card and stationery product orders, wherein said providing a requestor interface step comprises the step of using an intermediary application to automatically expand said database management system according to a selection of fields. Sevcik teaches about editing a database: interface lists, line by line, each status change and the date that that change was stored in the database. Once a job is completed, it moves out of the current job queue into an archive. The history of that job will always be accessible to the Print Buyer with access to that account (see Sevcik, 14:50 to 15:10, and 15:52-67).

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C. As to claim 3: Sevcik teaches a method for fulfillment of institutional business card and stationery product orders, comprising:

providing an electronic preview of said company tailored product; Sevcik teaches that any change in job status entered into the system will, upon approval, be viewable by the Print Buyer. For example, a Print Provider may require additional information about a job in order to begin (see Sevcik, 14:50 to 15:22 , and 17:17-22, 35-43).

D. As to claim 4: Sevcik teaches a method for fulfillment of institutional business card and stationery product orders, wherein said providing an electronic preview step is optionally invoked. The examiner submits that claiming "optionally invoked" means this invoking step "may" or "may not" happen. Therefore, Sevcik meets this claim's limitation when Sevcik neglects this step (see Sevcik, 15:10-22 and 17:35-43).

E. As to claim 5: Sevcik teaches a method for fulfillment of institutional business card and stationery product orders, comprising: generating electronically accessible order status information. For every job, there is a series of steps, which occur from when then quote is generated, to when the job is closed. Each of these steps is tracked within the system and viewable from the Job history interface for that particular job.

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This is a read-only interface (with the exception of certain administrators with the proper access privilege), which enables the Print Provider to look up important information such as dates the file was sent/received, delivery dates, press check status, etc. The interface lists, line by line, each status change and the date that that change was stored in the database. Once a job is completed, it moves out of the current job queue into an archive. The history of that job will always be accessible to the Print Buyer with access to that account (see Sevcik, Fig.16, 14:30-37, and col. 15, lines 52-67)..

F. As to claim 7: Sevcik teaches a method for fulfillment of institutional business card and stationery product orders, wherein said requestor interface comprises predeterminable limits for a user's selection of said company tailored product (see **Sevcik**, 1:1 to 2:16, 5:10 to 14:5, and 14:50 to 15:10.

Sevcik also teaches a method for fulfillment of institutional business card and stationery product orders, wherein said limits are measured in physical quantities of said company tailored product (see **Sevcik**, 3:55-65, Fig.10 ref.104, and Fig.9 ref.96).

5. As to claims 6, 11-14: They are rejected under 35

U.S.C. 103(a) as being unpatentable over Sevcik et al. (US Pat.

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6,330,524), in view of Klatt et al., (US Pat. 6,473,760), and further in view of Perkowski et al. (US Pat. 5,964,156).

Sevcik teaches a method for fulfillment of institutional business card and stationery product orders, generating electronically accessible order status information.

Sevcik does not disclose about reading a bar code label associated with said company tailored product.

However, Perkowski teaches that missing feature (see Perkowski, claim 12).

- Sevcik does not disclose a system to customize a company's product/template; however, this concept is clearly old and very well-known in printing businesses, i.e., "print as order" that Klatt et al.'s teaching (see **Klatt** et al., Fig. 15, 13:66 to 14:4, 15:25-40).
- Sevcik does not disclose an "order" template of customer ; however, this concept is clearly old and very well-known in printing businesses, i.e., "print as order" (see **Klatt** et al., the abstract, Fig. 15, 13:66 to 14:4, 15:25-40)- including a placement and typography of informational elements to be printed on a business card or stationery product.
- Sevcik does not disclose limiting a number of selected sources ; however, this concept is clearly old and very

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well-known in printing businesses, i.e., from a "client database" 1507 (see Klatt et al., Fig.15, ref. 1507).

- Sevcik does not disclose to use "an interface" to directly generate a pre-press product; however, this concept is clearly old and very well-known in printing businesses, i.e., "preview a print product" (see Klatt et al., Figs. 3, 15, 1:53-64, and 7:7-19).
- On page 10, para.1 the applicant argues that Sevcik does not provide a preview of tailored product; however, this concept is clearly old and very well-known in printing businesses, i.e., from a preview before mass production has been a normal application of a printing business (see Klatt et al., Fig.9 ref. 907 - please note that approval is always happened after "preview").

It would be obvious to one of ordinary skill in the art to combine Sevcik, Klatt et al., and Perkowski reading a bar code label associated with said company tailored product because using bar-code labels speeding up inputting data and creating more accuracy comparing to manually entering data of these labels.

One of ordinary skill in the art at the time the invention was made would have been motivated to combine Sevcik et al.,

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Klatt et al., and Perkowski et al. to provide pre-press product with specific commands for making a customized printing product.

6. As to claim 9: It is rejected under 35 U.S.C. 103(a) as being unpatentable over Sevcik et al. (US Pat. 6,330,524), in view of Klatt et al., (US Pat. 6,473,760) and further in view of Perkowski et al. (US Pat. 5,964,156).

Sevcik teaches a method for fulfillment of institutional business card and stationery product orders, wherein said limits are measured in monetary value of said company tailored product.

It would be obvious to one of ordinary skill in the art that product values are practically equated to monetary values, especially while doing inventories. Therefore, above references with previous rationales set forth in previous rejection of claim 8 are applied (see Office Action #8).

7. As to claim 10: It is rejected under 35 U.S.C. 103(a) as being unpatentable over Sevcik et al. (US Pat. 6,330,524), in view of Klatt et al., (US Pat. 6,473,760), in view of Perkowski et al. (US Pat. 5,964,156), and further in view of the Official Notice.

Sevcik teaches a method for fulfillment of institutional business card and stationery product orders, and about a change to a predeterminable profile (see **Sevcik**, 1:60-67, and 14:5-50).

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Sevcik does not disclose a user interface comprises an alert indicative of a change to said predeterminable profile.

However, the Official Notice is taken that adding an alarm feature on a computer when a specific change happen is old and well-known.

It would be obvious to one of ordinary skill in the art to implement Sercik, Perkowski, and Klatt et al. 's patents with adding an alert indicative of a change to a predetermine profile because this feature is necessary to get a special attention from a user.

Conclusion

8. Claims 1-7, 9-14 are not patentable.
9. Applicant 's amendments necessitated new ground(s) of rejection presented in this Office Action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will

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expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CUONG H. NGUYEN whose number is 703-305-4553. The examiner can normally be reached on 7am-3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's acting supervisor, JEFFREY A. SMITH can be reached on 703-308-3588. The fax phone number for the organization where this application or proceeding is assigned is 703-305-7687/703-746-5572.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Please provide support, with page and line numbers, for any amended or new claim in an effort to help advance prosecution; otherwise any new claim language that is introduced in an amended or new claim may be considered as new matter, especially if the Application is a Jumbo Application.

Cuong H. Nguyen

CUONG H. NGUYEN
Primary Examiner
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